



Gr 3677  
John  
PATENT 1/29/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Meang K. Chia et al. ) RE: PRELIMINARY REMARKS✓  
Serial No.: 10/070,037 / )  
Filed: February 26, 2002 ) Date: January 13, 2003  
For: "JEWELRY ITEM" ) Examiner: Not assigned yet  
 ) Group: 3677 (Presumed)  
 ) Our Ref: B-4496 619513-8

Box No Fee  
Assistant Commissioner for Patents  
Washington, D.C., 20231

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Sir:

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Prior to examination of the above-identified application, please consider and enter the following remarks into the prosecution history of the subject application. ✓

Claims 131-144 of the subject U.S. patent application are identical to Claims 110-123 in the corresponding PCT Application, No. PCT/US00/18389, i.e., they relate to a decorative jewelry item embodiment in which a decorative insert is placed through an opening in the top of a base member and fixed therein. Both product and method claims are included.

The Examiner in the PCT application listed PCT Claims 110-123 among those claims "anticipated by Peters US 1,570,776", and one would thus be led to believe Claims 131-144 of the US application would be rejected for the same reasons.

However, it is suggested that the Examiner in the corresponding PCT application apparently inadvertently lumped PCT Claims 110-

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123 with the group of claims relating to capped jewelry item embodiments.

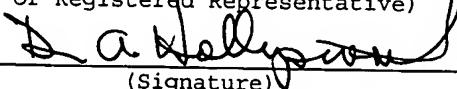
That is, in the PCT International Preliminary Examination Report, the PCT Examiner states "Peters shows a base member 1/2 /13 (considered to be hollow due to the opening through the ring), a decorative top 13, a cap 3, and an attachment arrangement 4/6.". Obviously, the PCT Examiner did not realize that Claims 110-123 do not claim a cap for the base member, nor is there any decorative top on the base member (since, in Claims 110-123, it is the "decorative insert" that is the decorative portion of the claimed jewelry item).

According, this Preliminary Remarks letter is offered solely to alert the U.S. Examiner assigned to the subject application as to the obvious inappropriateness of the Peters reference (US 1,570,776) as to the embodiments defined by Claims 131-144.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C., 20231 on

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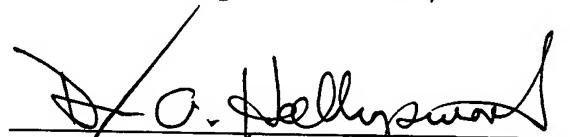
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January 13, 2003

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Respectfully submitted,

  
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